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*Attorneys for Interested Parties, Andrea Hogan
and Sandra Kluessendorf*

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

MIRLINDA ELMAZI, on behalf of
herself and all others similarly situated,

Plaintiff,

v.

DSM-FIRMENICH AG, et al.

Defendants.

CIVIL ACTION NO: 23-CV-16127

YVONNE PEYCHAL, on behalf of
herself and all others similarly situated,

Plaintiff,

v.

DSM-FIRMENICH AG, et. al.

Defendants.

CIVIL ACTION NO: 23-CV-16242
Related Action

ANDREA HOGAN and SANDRA KLUESSENDORF, on behalf of themselves and all others similarly situated,

Plaintiff,
v.

DSM-FIRMENICH AG, et. al.

Defendants.

CIVIL ACTION NO: 2:23-cv-18950
Related Action

INTERESTED PARTIES' RESPONSE IN SUPPORT OF PLAINTIFFS' MOTION TO CONSOLIDATE RELATED CASES PURSUANT TO FED.R.CIV.P. 42(a) AND APPOINT INTERIM CO- LEAD COUNSEL PURSUANT TO FED.R.CIV.P. 23(g)

Plaintiffs Andrea Hogan and Sandra Kluessendorf (“Interested Parties”) submit this Response in support of Plaintiffs’ Motion to Consolidate Related Cases Pursuant to Fed.R.Civ.P. 42(a) and Appoint Interim Co-Lead Counsel Pursuant to Fed.R.Civ.P. 23(g) (“*Elmazi* Plaintiffs’ Motion”). See *Elmazi v. DSM-Firmenich AG, et al* Case No. 2:23-cv-16127-WJM-JSA (Dkt. 3). For the reasons stated in the *Elmazi* Plaintiffs’ Motion, the related cases – including this matter – should be consolidated for all purposes, and proposed interim co-lead class counsel should be appointed to represent the interests of the proposed class.

Consolidation: On September 8, 2023, Interested Parties filed a class action complaint alleging they were injured by the same anticompetitive conduct in the same markets by the same defendants named in *Elmazi*. Thus, this Action and

Elmazi involve common questions of law and fact and should be consolidated under Fed.R.Civ.P. 42(a). See also *Elmazi*, Dkt. 3 at 2-3.

Interim Co-Lead Counsel: *Elmazi* Plaintiffs' Motion seeks the appointment of Kellie Lerner of Robins Kaplan LLP and Kimberly Justice of Freed Kanner London & Millen LLC as Interim Co-Lead Class Counsel. *Id.* at 5-10. Although Counsel for Interested Parties could seek a leadership position in this matter, Counsel is not, because of the high regard in which he holds the Proposed Interim Co-Lead Class Counsel.

The breadth and depth of Proposed Interim Co-Lead Class Counsel speaks for itself. *Id.* In addition, counsel for Interested Parties have worked closely with the Proposed Interim Co-Lead Class Counsel in many antitrust class actions, including *In re Payment Card Interchange Fee & Merchant Discount Antitrust Litig.*, MDL No. 1720 (E.D.N.Y.), *In re Hard Disk Drive Suspension Assemblies Antitrust Litigation* (N.D. Cal.) and *In re Local TV Advertising Antitrust Litigation*, MDL 2867 (N.D. Ill.). Throughout those cases, Counsel for the Interested Parties have observed how Proposed Interim Co-Lead Class Counsel lead complex antitrust class actions efficiently and effectively while using their deep knowledge and experience to obtain significant recoveries for those classes. These same qualifications will allow Proposed Interim Co-Lead Class Counsel to protect the interests of the putative classes in these matters.

CONCLUSION

For the reasons stated above, Interested Parties join in and support consolidation of these matters and the appointment of Kellie Lerner of Robins Kaplan and Kimberly Justice of Freed Kanner as Interim Co-Lead Class Counsel for the proposed End-User Plaintiffs Classes.

DATED: September 12, 2023

BY: /s/ William G. Caldes

William G. Caldes (SBN 00062-1995)

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CERTIFICATE OF SERVICE

I hereby certify that on September 12, 2023, I electronically filed the foregoing INTERESTED PARTIES' RESPONSE IN SUPPORT OF PLAINTIFFS' MOTION TO CONSOLIDATE RELATED CASES PURSUANT TO FED.R.CIV.P. 42(a) AND APPOINT INTERIM CO- LEAD COUNSEL PURSUANT TO FED.R.CIV.P. 23(g) with the Clerk of the Court for the United States District Court of New Jersey using the CM/ECF system and served a copy of same upon all counsel of record via the Court's electronic filing system.

/s/ William G. Caldes

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